

WRIT PETITION NO. 332(M/S) OF 2003

Himalaya Purv Sainik Samiti

-----Petitioner

Versus

Union of India and others

-----Respondents

Hon'ble M.M. Ghildiyal, J.

This petition under Article-227 of the Constitution of India has been filed by the petitioner challenging the order dated 21.11.2002 passed by the District Judge, Chamoli allowing the application for restoration filed by the defendants under Order-IX Rule-13 C.P.C. by imposing Rs. 150/- as costs and setting aside the exparte decree and order.

Heard Sri V.V.S. Negi learned Counsel for the petitioner and Sri Rakesh Thapliyal learned Counsel for the respondents.

The learned Counsel for the parties agree that the writ petition may be disposed of with a direction to the Civil Judge (Sr. Div.), Chamoli to decide the suit expeditiously as possible. The prayer is innocuous and, as such, the Civil Judge (Sr. Div.) Chamoli is directed to decide the suit expeditiously as early as possible.

With these observations the writ petition is disposed of finally.

(M.M. Ghildiyal, J.)

02.05.2003:
MPS